UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK		
ROBERT DAVIS,		
-V-	Plaintiff,	No. 1:13-CV-1380
CAPITAL CITY RESCUE MISSION; WAYNE HILL; and WILLIE FOSTER,		
	Defendants.	
APPEARANCES:		OF COUNSEL:
ROBERT DAVIS Plaintiff pro se 29 Swan Street Albany, NY 12210		

DECISION and ORDER

Pro se plaintiff Robert Davis brought this action pursuant to 42 U.S.C. § 1983. On November 18, 2013, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that the complaint be dismissed without leave to amend.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. <u>See</u> 28 U.S.C. § 636(b)(1).

Therefore, it is

DAVID N. HURD

United States District Judge

ORDERED that

Plaintiff's complaint is DISMISSED without leave to amend.

The Clerk is directed to serve a copy of this Decision and Order on plaintiff and close the file.

IT IS SO ORDERED.

United States District Judge

Dated: December 10, 2013 Utica, New York.